

From: Don Cummings
To: Microsoft ATR
Date: 1/21/02 1:13pm
Subject: Microsoft Case

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Attorney General John Ashcroft
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Sir:

I am writing to express my opinions regarding the Microsoft antitrust case. I feel that the settlement agreement reached between the Department of Justice and Microsoft was fair and reasonable. It was received after extensive negotiations with a court-appointed negotiator, and has already been approved by nine states.

I am disturbed by the trend that has arisen since the tobacco settlements, whereby lawsuits are used as forms of state revenue generators. I am also disturbed by what I see as an attack by cry-babies who cannot compete in the free market, and by people whose real agenda it is to attack free enterprise and capitalism.

I feel that if this case is judged by its merits, then one cannot help but see that Microsoft has granted more concessions than was first asked of it. Microsoft has changed the way it licenses, develops, and markets its software. These changes are evident in its decision to license Windows to the twenty largest computer manufacturers, and make available to its competitors any protocols implemented in Windows. Microsoft has basically granted free access to its invention to all that would compete with it. Microsoft has even agreed to allow computer makers to configure Windows so as to promote non-Microsoft software that competes with programs included within Windows.

I understand that the issues that brought about the suit in the first place may have been valid, but that was years and countless dollars ago. Microsoft will soon make or has already made the necessary changes. The only reason that states would consider pursuing further litigation is for a return on investment, rather than a concern for the public welfare. If need be, I hope you will see fit to protect Microsoft just as expensively as you have protected the competition. In the meantime, at minimum, please accept the settlement.

Very truly yours,

Donald W. Cummings

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